

REMARKS

Claims 1-19 have been cancelled and new claims 20-29 have been added. No new matter has been added by virtue of the amendments contained herein. Support for the amendments in the specification and claims lies in the specification and claims as filed.

The Examiner objected to the recitation of the relationship of applications. Applicants have amended the related applications section to reflect present status of related parent application. Reconsideration and withdrawal of the objection is requested.

The Examiner objected to the specification for lack of sequence identifiers in the figures and/or figure descriptions for each of the claimed sequences. The specification has been amended to reflect correct reference to sequence identifiers in the figures for each of the claimed sequences. Reconsideration and withdrawal of the objection is requested.

Claims 2, 6, 9, 12, 15, 18, were rejected under 35 USC 112, second paragraph as being indefinite for recitation of the phrase "heterologous amino acid sequences." Applicants traverse the rejection.

Applicants submit the phrase "further comprising heterologous amino acid sequences" is phraseology that is well understood to those of skill in the art, and would be comprehended in view of Applicants' specification as filed. For example, Applicants set forth description of fusion and chimeric polypeptides at pages 22, line 14 through page 33, line 22. Such description is understood to comprise heterologous, or non-RGS polypeptide sequences. Further, Applicants have provided new claims 21 and 24 which further describe polypeptides further comprising heterologous sequences as being fusion or chimeric polypeptides. Reconsideration and withdrawals of the rejection under 35 USC 112, second paragraph is requested.

Claims 1-4, 6, 7, 17-19 were rejected under 35 USC 112, "because the invention appears to employ novel vectors and host cells". Applicants respectfully traverse the rejection.

Applicants submit herewith a statement of biological deposit stating the terms of deposit of the claimed plasmids are in accordance with the terms of the Budapest Treaty, with a copy of the deposit receipt. It is believed this submission addresses the Examiner's objection. Reconsideration and withdrawal of the rejection is thus requested.

Claims 1-4, 6-13, 17-19 were rejected under 35 USC 112, first paragraph as being non-enabling.

Claims 1c, 2, 3, 8-10 were rejected under 35 USC 112, first paragraph as not sufficiently described.

Practitioner's Docket No. MPI99-017DV1AM

Applicants respectfully submit the subject matter which the Examiner objected to as non-enabling and not sufficiently described is in fact enabled and described sufficiently. Applicants respectfully point out generation of variant sequences is well known in the art, and Applicants have provided description for generation of variants in the specification as filed. Additionally, generation of fragments of sequences is well known in the art, and Applicants have provided description for generation of fragments. Still further, the objected claims recite variants and fragments which have RGS activity, which activity assessment has been described in the specification, thus providing sufficient description and enablement for one of skill in the art to recognize Applicant has claimed, and provided description for one to carry out Applicant's invention. However, in an effort to further prosecution, Applicant has been cancelled the objected language from the present claims, thus rendering the rejections under 35 USC 112, first paragraph moot. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1, 8, 11, 14, 17 were rejected under 35 USC 102a as anticipated by Carnici et al.

Claims 1, 4, 5, 8, 11, 14, 17 were rejected under 35 USC 102b as being anticipated by Hunt et al.

Applicants respectfully traverse the rejections under 102. The Examiner asserted the claims are anticipated by Carnici as well as Hunt because each of the references disclose sequences that are either 75% identical to SEQ ID NO:2 or 4, or comprise 30 consecutive amino acids of SEQ ID NO:4, or are encoded by nucleic acids which are more than 75% identical to SEQ ID NO:1 or 3.

Applicants submit the subject matter which the Examiner asserts is anticipated has been cancelled from the present claims, thus rendering the rejections under 35 USC 102 moot. Reconsideration and withdrawal of the rejections is requested.

This paper is being filed timely as a request for a two month extension of time is filed concurrently herewith. No additional extensions of time are required. In the event any additional extensions of time are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

Entry of the remarks made herein is respectfully requested.

Respectfully submitted,

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